

# *Charter*

November 16, 2000 — November 16, 2002

## **NATIVE AMERICA GRAVES PROTECTION AND REPATRIATION REVIEW COMMITTEE**

### A. OFFICIAL DESIGNATION.

The official designation of the Committee is the Native American Graves Protection and Repatriation Review Committee (Committee).

### B. PURPOSE.

The purpose of the Committee is to monitor and review the implementation of the inventory and identification processes and repatriation activities required under sections 5, 6, and 7 of Public Law 101-601.

### C. DUTIES AND RESPONSIBILITIES.

The duties of the Committee are solely advisory. Specifically, the Committee will be responsible for:

1. Monitoring and reviewing the implementation of the inventory and identification processes and repatriation activities required under sections 5, 6, and 7 of Public Law 101-601 to ensure a fair and objective consideration and assessment of all available relevant information and evidence;
2. Reviewing and making findings relating to the identity or cultural affiliation of human remains, funerary objects, sacred objects, and objects of cultural patrimony, or the repatriation of such items, upon the request of any affected party;
3. Facilitating the resolution of any disputes among Indian tribes, Native Hawaiian organizations, or lineal descendants, and Federal agencies or museums relating to the repatriation of human remains, funerary objects, sacred objects, and objects of cultural patrimony, including convening the parties to the dispute, if deemed desirable;
4. Compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each Federal agency and museum and recommending specific actions for disposition of such remains;
5. Consulting with Indian tribes, Native Hawaiian organizations, and museums on matters pertaining to the work of the Committee affecting such tribes or organizations;
6. Consulting with the Secretary in the development of regulations to carry out Public Law 101-601;
7. Performing such other related functions as the Secretary may assign to the Committee;
8. Making recommendations, if appropriate, regarding future care of human remains, funerary objects, sacred objects, and objects of cultural patrimony which are to be repatriated; and

9. Submitting an annual report to Congress on the progress and any barriers encountered in carrying out the Committee responsibilities during the year.

#### D. MEMBERSHIP.

1. The Committee will be composed of seven members appointed by the Secretary as follows:
  - (a) Three members appointed from nominations submitted by Indian tribes, Native Hawaiian organizations, and traditional Native American religious leaders, with at least two of such persons being traditional Native American religious leaders;
  - (b) Three members appointed from nominations submitted by national museum organizations and scientific organizations; and
  - (c) One member appointed from a list of persons developed and consented to by all members appointed pursuant to subparagraphs 1 (a) and 1 (b), above.
2. Terms of appointment will be for 6 years. Reappointment of current members will be for a term of 3 years. All appointments will terminate upon the termination of the Committee. Any vacancy on the Committee will be filled in the same manner in which the original appointment was made within 90 days of the occurrence of such vacancy. If no successor is appointed prior to the expiration of a member's term, then the incumbent may continue to serve until the new appointment is made, provided that a charter under provisions of the Federal Advisory Committee Act is in effect.
3. Any member who fails to attend three successive meetings of the Committee or who otherwise fails to substantively participate in the work of the Committee, may be removed from the Committee by the Secretary and a replacement named.
4. Members of the Committee will serve without pay, but will be reimbursed at a rate equal to the daily rate for Level IV of the Senior Executive Schedule for each day (including travel time) for which the member is actually engaged in Committee business. While away from their homes or regular places of business in the performance of services of the Commission, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons **employed** intermittently in government service are allowed such expenses in accordance with Sections 5703 of Title 5 of the United States Code.
5. The Secretary will establish such rules and regulations for the Committee as are necessary. The Secretary may not appoint Federal Officers or employees to the Committee.

#### E. ADMINISTRATION.

1. CHARTER. The Committee is subject to the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix (1994). The Committee will take no action unless the charter filing requirements of sections 9 and 14(b) of FACA have been complied with. This charter is for the period November 16, 2000, to November 16, 2002.

2. **DESIGNATED FEDERAL OFFICIAL.** The Committee reports to the Secretary of the Interior, United States Department of the Interior, 1849 C Street, NW, Washington, DC 20240. The Assistant Director, Cultural Resources Stewardship and Partnerships, National Park Service, or in the absence of the Assistant Director, Cultural Resources Stewardship and Partnerships, a designee will serve as the Designated Federal Official (DFO) required by section 10 of FACA to oversee the management of the Committee.
3. **CHAIRPERSON.** The Committee will designate one member to be Chairperson.
4. **SUPPORT AND COST.** Support for the Committee is provided by the U.S. Department of the Interior, National Park Service, Office of the Director. The estimated annual operating cost of the Committee is \$150,800, which includes the cost of 1.75 work-years of staff support.
5. **MEETINGS.** The Committee will meet approximately two times a year, although it may convene more often, if there is an immediate need for consultation, advice and review. All meetings of the Committee will be subject to the provisions FACA, 5 U.S.C. Appendix (1994).
6. **SUBCOMMITTEES.** The Committee may create committees from among its membership supplemented when appropriate by members of the public, provided that the role of such committees will be solely to gather information or conduct research for the Committee, to analyze relevant issues and facts, or to draft proposed position papers for deliberation by the Committee. Membership on all committees will be determined by the Chairperson, subject to the concurrence of the Designated Federal Official. Committees will meet as necessary, subject to the approval of the Designated Federal Official.

F. **DURATION AND DATE OF TERMINATION.**

In view of the objectives, scope and purposes of the Committee, it is expected to continue into the foreseeable future. The Committee will terminate at the end of the **120-day** period beginning on the day the Secretary **certifies**, in a report submitted to Congress, that the work of the Committee has **been** completed.

G. **AUTHORITY.**

The Native American Graves Protection and Repatriation Review Committee is established by authority of Section 8 of Public Law 101-601, November 16, 1990.



NOV 21 2000

Secretary of the Interior

Date Signed

DATE CHARTER FILED NOV 22 2000